

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

GWENDOLYN COLE-HOOVER,

Plaintiff,

v.

**DECISION AND ORDER**  
10-CV-669-A

ROBERT A. McDONALD, as Secretary of  
Veterans Affairs,  
WILLIAM F. FREELEY, Director of Medical  
Center Veteran Affairs Western New York  
HealthCare Systems,  
MIGUEL RAINSTEIN, M.D., Chief of Staff  
Veteran Affairs Western New York  
HealthCare Systems,  
DONALD McDONALD, M.D., Medical Director of  
Geriatrics and Extended Care Veteran Affairs  
Western New York HealthCare Systems,  
ANN SACZAK, R.N., Careline Manager,  
Geriatrics and Extended Care Veteran Affairs  
Western New York HealthCare Systems,

Defendants.

---

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio pursuant to 28 U.S.C. § 636(b)(1) for pretrial proceedings. On December 15, 2015, Magistrate Judge Foschio filed a Report and Recommendation (Dkt. No. 72) recommending that defendants' motion for summary judgment (Dkt. No. 47) be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

**ORDERED**, pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in

Magistrate Judge Foschio's Report and Recommendation, that defendants' motion for summary judgment (Dkt. No. 47) is granted.

The Clerk of Court shall enter Judgment in favor of defendants, and shall close the case.

**IT IS SO ORDERED.**

*Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: July 8, 2016